

cording to the next preceding Federal census has pledged securities in lieu of a personal or surety bond to secure the county funds of such county, and it becomes necessary for the county to take over such pledged securities, it shall be lawful for such counties to accept such securities so pledged and to credit the depository bank with the amount thereof and to charge said depository bank with the total amount of county funds then on deposit in said county depository, and authorizing commissioners courts of such counties to sell such pledged securities with or without a repurchase agreement or to pledge such securities in order to obtain funds with which to meet the obligations of such counties; authorizing the commissioners court of such counties to select another depository in the same manner and upon the same terms as is provided in Article 2550, R. C. S. 1925; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Vice-Chairman.

#### SIXTY-FIRST DAY.

Senate Chamber,  
Austin, Texas,  
April 22, 1933.

The Senate met at 2:10 o'clock p. m., pursuant to adjournment, and was called to order by Senator Rawlings.

The roll was called, a quorum being present, the following Senators answering to their names:

Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Greer.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Pace.	Woodward.

Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

46—Jour.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Russek.

#### Senators Excused.

On motion of Senator Redditt, Senator Beck was excused for the day on account of illness.

On motion of Senator Rawlings, Senator Fellbaum was excused for the day on account of important business.

#### House Bill No. 878.

Senator Woodul moved to suspend the regular order of business and take up H. B. No. 878 (Marginal oil well bill). The motion prevailed by the following vote:

Yeas—19.

Blackert.	Rawlings.
Collie.	Redditt.
Cousins.	Regan.
Duggan.	Russek.
Murphy.	Small.
Neal.	Stone.
Pace.	Woodruff.
Parr.	Woodul.
Patton.	Woodward.
Poage.	

Nays—5.

DeBerry.	Moore.
Greer.	Purl.
Hornsby.	

Absent.

Hopkins.	Martin.
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Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

The Chair laid before the Senate on its third reading the following bill:

H. B. No. 878, A bill to be entitled "An Act amending Section 1, of Chapter 58, of the General Laws, of the Forty-second Legislature, Regular Session, re-defining marginal wells, and declaring an emergency."

Read third time.

On motion of Senator Woodul, the previous question was ordered on the final passage of the bill.

The bill was finally passed by the following vote:

## Yeas—21.

Blackert.	Hopkins.
Collie.	Martin.
Cousins.	Murphy.
Duggan.	Neal.
Pace.	Russek.
Parr.	Small.
Patton.	Stone.
Poage.	Woodruff.
Rawlings.	Woodul.
Redditt.	Woodward.
Regan.	

## Nays—5.

DeBerry.	Moore.
Greer.	Purl.
Hornsby.	

## Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

## Senate Bill No. 50.

Senator DeBerry moved to suspend the regular order of business and take up S. B. No. 50. The motion prevailed by the following vote:

## Yeas—25.

Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Greer.	Regan.
Hopkins.	Russek.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Pace.	

## Nays—1.

Purl.

## Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

Senator Purl raised the point of order that the morning call could not be suspended.

The Chair, Senator Rawlings, held that the point of order came too late.

The Chair laid before the Senate on its third reading the following bill:

## By Senator Blackert:

S. B. No. 50, A bill to be entitled "An Act to amend Articles 6050, 6058, 6059 as amended, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas, 1925, and by adding Articles 6058-a and 6058-b, so as to more clearly define gas utility and to prohibit the raising of domestic and commercial rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearing; to authorize the Railroad Commission of Texas to make appraisals and audits in incorporated towns and cities of 10,000 population or less; to authorize the Railroad Commission under certain conditions to aid cities of 10,000 population, or more, in making an appraisal of the properties and an audit of the accounts of the gas utility, or gas utilities serving such cities; to provide for the necessary funds and organization in carrying out the provisions of this Act; providing that if any provision of this Act is declared invalid or unconstitutional that it shall not affect any other provision of this Act; and declaring an emergency."

Read third time.

Senator Woodul moved the previous question on the final passage of the bill.

Senator Purl raised the point of order that under Rule 65 this bill could not be taken up in this manner and at this time.

The Chair, Senator Rawlings, held that the point of order had already been ruled on.

The previous question was ordered by the following vote:

## Yeas—17.

Blackert.	Patton.
Cousins.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hopkins.	Russek.
Martin.	Small.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

## Nays—9.

Collie.	Poage.
Greer.	Purl.
Hornsby.	Stone.
Moore.	Woodruff.
Murphy.	

## Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

The bill was finally passed by the following vote:

## Yeas—15.

Blackert.	Pace.
Collie.	Parr.
DeBerry.	Patton.
Duggan.	Redditt.
Greer.	Regan.
Martin.	Woodruff.
Murphy.	Woodul.
Neal.	

## Nays—6.

Cousins.	Poage.
Hornsby.	Purl.
Moore.	Russek.

## (Pairs Recorded.)

Senator Hopkins (present) who would vote nay with Senator Beck (absent), who would vote yea.

Senator Rawlings (present) who would vote yea with Senator Fellbaum (absent) who would vote nay.

Senator Small (present) who would vote nay with Senator Oneal (absent), who would vote yea.

Senator Stone (present) who would vote yea, with Senator Holbrook (absent) who would vote nay.

Senator Woodward (present) who would vote nay, with Senator Sanderford (absent) who would vote yea.

Senator Woodruff moved to reconsider the vote by which the bill was finally passed and spread the motion on the Journal.

Senator Woodul called up from the Journal the motion to reconsider and moved to table the motion. The motion prevailed by the following vote:

## Yeas—14.

Blackert.	Neal.
Collie.	Pace.
DeBerry.	Parr.
Duggan.	Patton.
Hopkins.	Redditt.
Martin.	Regan.
Murphy.	Woodul.

## Nays—10.

Cousins.	Purl.
Greer.	Russek.
Hornsby.	Small.
Moore.	Woodruff.
Poage.	Woodward.

## Absent—Excused.

Beck.	Sanderford.
Oneal.	

## (Pairs Recorded.)

Senator Rawlings (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

Senator Stone (present) who would vote yea, with Senator Holbrook (absent) who would vote nay.

## Adjournment.

Senator Woodul moved to recess until Monday morning at 10 o'clock.

Senator Purl moved to adjourn until Monday morning at 10 o'clock.

Senator Greer moved to recess until 4 o'clock p. m. today.

The motion to adjourn until Monday at 10 o'clock a. m. prevailed by the following vote:

## Yeas—17.

Blackert.	Parr.
Collie.	Purl.
DeBerry.	Rawlings.
Duggan.	Regan.
Hopkins.	Russek.
Hornsby.	Stone.
Martin.	Woodul.
Murphy.	Woodward.
Neal.	

## Nays—8.

Greer.	Poage.
Moore.	Redditt.
Pace.	Small.
Patton.	Woodruff.

## Absent.

Cousins.

## Absent—Excused.

Beck.	Oneal.
Fellbaum.	Sanderford.
Holbrook.	

At 2:44 o'clock p. m., the Senate adjourned.